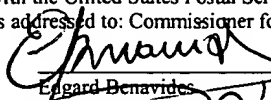


10-1801

CPA/37388

|  |  |
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| AT 2036.00   |  |
| CERTIFICATE OF MAILING BY "EXPRESS MAIL"   |  |
| Express Mail Label No.: <u>EL548625256US</u>   | Date of Deposit: <u>October 16, 2001</u> |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Washington, D.C. 20231. |  |
| <br>Edgard Benavides  |  |

#19  
Reg for C.P.A.  
J. Byrd  
10/31/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Thomas A. Silvestrini

Examiner: D. Willse

Serial No.: 08/993,946

Group Art Unit: 3738

Filing Date: Herewith

For: CORNEAL IMPLANT METHODS AND  
PLIABLE IMPLANT THEREFOR

RECEIVED  
OCT 19 2001  
TC 3700 MAIL ROOM

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST & FEE TRANSMITTAL  
(for nonprovisional applications under 37 CFR § 1.53(d))

BOX CPA

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing in connection with the above-identified patent application are the following:

I. CPA Request

- ☒ This is a request for a continued prosecution application (CPA) of prior application number 08/993,946 filed on December 18, 1997, entitled Corneal Implant Methods And Pliable Implant Therefor.
- ☒ The entire disclosure of the prior application referenced above, is considered as being part of the application filed herewith and is herein incorporated by reference in its entirety.
- ☐ Enter the unentered amendment previously filed on \_\_\_\_\_.
- ☒ A new power of attorney or authorization of agent under 37 C.F.R. § 3.71 is enclosed (2 pages).
- ☒ Certificate Under 37 C.F.R. § 3.73(b) (1 page).
- ☐ This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application: \_\_\_\_\_
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

10/19/2001 TTRAW1 00000007 501189 08993946

01 FC:231 370.00 CH  
02 FC:203 9.00 CH

## II. Accompanying Documents

- ☐ Assignment Papers [ ] page(s) of Assignment Recordation Cover Sheet and [ ] page(s) of Assignment
- ☒ Applicant(s) claim Small Entity Status under 37 CFR §1.27.
- ☐ Information Disclosure Statement (IDS) [ ] page(s) of PTO-1449 [ ] copies of IDS Citations
- ☐ A Preliminary Amendment [ ] page(s)
- ☒ A copy of a Petition for Extension of Time (5 months) for prior Application No. 08/993,946 filed December 18, 1997 (2 pages).
- ☐ A copy of a Submission of Processing & Retention Fee (37 C.F.R. § 1.78(a)(1) which is being filed simultaneously in prior Application No. \_\_\_\_\_
- ☐ Other (*specify*)
- ☐ Receipt for Facsimile Transmitted CPA (PTO/SB/29A))
- ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)

### III. Fee Calculation

☒ The following fees are submitted:

The fees to be charged are based on claims:



included in the prior application



after entry of the Amendment filed on \_\_\_\_\_.



after entry of Preliminary Amendment, attached hereto.

CALCULATIONS

|  |           |                         |              |                   |
|--|-----------|-------------------------|--------------|-------------------|
|  |           | OTHER THAN SMALL ENTITY | SMALL ENTITY | \$                |
| BASIC NATIONAL FILING FEE  |           | \$ 740.00               | \$ 370.00    | \$370.00          |
| CLAIMS   | # FILED   | # EXTRA                 | RATE         | RATE              |
| Total Claims   | 21 - 20 = | 1                       | × \$18.00    | × \$ 9.00         |
| Independent claims   | 3 - 3 =   | 0                       | × \$80.00    | × \$40.00         |
| MULTIPLE DEPENDENT CLAIM(S)  |           |                         |              |                   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No          |           | \$270.00                | \$135.00     | \$                |
| Fee for recordation of the enclosed assignment (37 CFR 1.21(h), 3.28, 3.31). |           |                         |              |                   |
| _____ (Numbers of Applications) × \$40.00                                    |           |                         |              | \$                |
| OTHER FEES Petition For Five Month Extension Of Time                         |           |                         |              | \$980.00          |
| OTHER FEES _____ (specify)   |           |                         |              | \$                |
| <b>TOTAL FEES =</b>  |           |                         |              | <b>\$1,359.00</b> |

- a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 50-1189, Docket No. 23915-7321, in the amount of \$1,359.00 to cover the above fees. *A duplicate copy of this sheet is enclosed.*
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1189, Docket No. 23915-7321.  
*A duplicate copy of this sheet is enclosed.*

SEND ALL CORRESPONDENCE TO:

Antoinette F. Konski, Esq.  
McCutchen, Doyle, Brown & Enersen, LLP  
Three Embarcadero Center, 18th Floor  
San Francisco, CA 94111  
Telephone: (650) 849-4950

SIGNATURE

10/16/01  
DATE

Carol M. Gruppi

37,341

NAME

REGISTRATION NUMBER

Antoinette F. Konski

34,202

NAME

REGISTRATION NUMBER